

State of South Dakota

SEVENTY-FIFTH SESSION LEGISLATIVE ASSEMBLY, 2000

552D0714

SENATE ENGROSSED NO. **SB178** - 2/4/00

Introduced by: Senators Hainje, Frederick, Paisley, and Vitter and Representatives Brown (Richard), Munson (Donald), Peterson, and Richter

1 FOR AN ACT ENTITLED, An Act to revise the school term.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 13-26-1 be amended to read as follows:

4 13-26-1. The school fiscal year shall begin July first and end June thirtieth. ~~A school day shall~~
5 ~~be at least five and one-half hours, exclusive of intermissions, and at least two and three-fourths~~
6 ~~hours shall count as a half day. The time specified as a "school day" shall not apply below grade~~
7 ~~four.~~ Each local school board shall set the number of days in a school term, the length of a school
8 day, and the number of school days in a school week. The local school board or governing body
9 shall establish the number of hours in the school term for kindergarten programs. The Board of
10 Education shall promulgate rules pursuant to chapter 1-26 setting the minimum number of hours
11 in the school term for grades one through three. The number of hours in the school term for
12 grades four through twelve may not be less than nine hundred sixty-two and one-half hours,
13 exclusive of intermissions. An "intermission" is the time when pupils are at recess or lunch.

14 Section 2. That § 13-26-2 be amended to read as follows:

15 13-26-2. The school board or governing body shall operate grades one through twelve in its
16 schools for at least a nine-month regular term in any one school year. The regular school term

1 may be conducted on a year-round basis, ~~but for grades one through twelve shall consist of~~
2 ~~school actually in session for at least one hundred seventy-five days~~ and shall begin on a date
3 established by the school board. The ~~State~~ Board of Education shall promulgate rules pursuant
4 to chapter 1-26 governing the operation and scheduling of year-round schools. ~~The rules may~~
5 ~~allow deviations from the one hundred seventy-five day requirement in this section and from the~~
6 ~~five and one-half hour per day requirement in § 13-26-1 if the total school term hours~~
7 ~~requirement in § 13-26-2.1 is met. The local school board or governing body may establish the~~
8 ~~school term for kindergarten programs. Any school board or governing body may release~~
9 graduating high school seniors from school before the end of the regular term if the release is for
10 no more than three school days. Make up days time for school closing because of weather,
11 disease, or emergency need not exceed ten school days. Graduating seniors are excused from
12 make up days time if the make up ~~days occur~~ time occurs after the students have graduated or
13 after graduation exercises have been held. If classes have been convened and then are dismissed
14 because of inclement weather, that day constitutes a school day in session equal to the number
15 of hours planned for that day as established in the local school district calendar for the year.

16 School boards are encouraged to provide days time within the regular school term for
17 curriculum and staff development which shall be in addition to the ~~one hundred seventy-five days~~
18 time required in this section. Each school board shall determine the appropriate ~~number~~ amount
19 of days time for this activity and how best to use the time based on local needs for program
20 development, increased parent participation, student contact, teachers' preparation, or other
21 needs of the schools in the district. School shall be in session only when classes are held and as
22 provided in §§ 13-26-4 and 13-26-4.1. A school board may operate a special term during the
23 summer months.

24 Section 3. That § 13-26-2.1 be repealed.

25 ~~— 13-26-2.1. Notwithstanding §§ 13-26-1 and 13-26-2, each local school board may establish~~

1 ~~the length of a school day and the number of school days in a school week, provided the number~~
2 ~~of school hours in a school term for grades four through twelve may not be less than nine~~
3 ~~hundred sixty-two and one-half hours, exclusive of intermission. A plan to establish a school~~
4 ~~term pursuant to this section must first be approved by the South Dakota Board of Education.~~
5 ~~The state board may adopt rules, pursuant to chapter 1-26, regulating the approval of local~~
6 ~~district plans.~~

1 **BILL HISTORY**

2 1/24/00 First read in Senate and referred to Education. S.J. 166

3 1/27/00 Scheduled for Committee hearing on this date.

4 1/27/00 Education Deferred to another day.

5 2/1/00 Education Do Pass Amended, Passed, AYES 7, NAYS 0. S.J. 266

6 2/3/00 Motion to Amend, Passed. S.J. 308

7 2/3/00 Senate Do Pass Amended, Passed, AYES 31, NAYS 1. S.J. 308